## THE STATE CAPITAL

Holahan's Excise Bill Defeated in the Assembly.

SENATORS WAKING UP.

Charges of Bribery and Corruption To Be Investigated.

SPECIAL SESSIONS DOOMED.

A Private Corporation Anxious to Perform Police Duty.

[BY TELEGRAPH TO THE HERALD.]

ALBANY, April 17, 1875.

The Senate is beginning to icel the press of legislation. The important bills which have passed the Lower House, including the Public Burdens bill, the Finance bill, the Canal bill and the bill, are keeping the Senate committees, to which they have been referred, tolerably busy which draw large audiences of ladies and gentlemen, as well as lobbyists, to the brillianily ligned little chamber. The supply bill, which engaged the Finance Committee, will of course be considerably amended, though there is no prospect of a diminution of the amount appropriated.

LITTLE FINANCIAL REQUESTS.

This bill is the annual vehicle of special appropriamoney from the Legislature through special or separate bills, and yesterday afternoon a number of per sons who have items which they want to get interted in it were given a nearing. Senator Hopkins presented the claims of the Binghamton Reformatory, isking that \$10,000 be appropriated to make good that portion of the building damaged or destroyed by fire. Assemblyman Peck appeared in behalf of the State Normal school, which is in need of additional accom-modations, and asks for \$44 900, this being the structure it is proposed to build will cost. A repre-sentative of the Saaman's Retreat was also heard; the retreat solicita \$30,000.

WORK FOR THE COMMITTEE ON CITIES. To-morrow the Senate Committee on Cities will have all the business it can attend to. Hearings are to be given on the Public Burdens bill, the Iron Tele-Pole bill, the High Service Water bill and the Fifth Avenue Pavement bill-measures which all par-ticularly concern the city of New York. Mr. Campbell, Commissioner of Public Works, and President Orton, of the Western Union Telegraph Company, are among the prominent citizens who are expected to be present and state their views.

HOLAHAN'S EXCISE HILL.

To-day the Assembly was treated to a genuine sen The Holahan Excise bili-the last of the excise bills before the House and the only one which had got through the Committee of the Whole-had been ordered to a third reading and was expected to be moved. Mr. Holahan, forsiking a sick family at his home, had come up to Albany especially to see the measure passed if possible, and Mr. Gilbert and the other anti-excise members were on hand to prevent that consummation. So eager cates could rally, that early in the forenoon he seized Mr. Holahan's prerogativement moved it himponed the matter for fifteen minutes, during which time Mr. Holahan entered the Chamber, the claus on both sides following and gathering around the respec-The bul, as at length brought to its third reading.

Section 1.—Section 6 of chapter 175 of the Laws of 1870, notice "An act regulating the sale of intexticating quors," passed April 11, 1870, is hereby amended so as to

this state, except that in cuties licenses has be granted for a period of not mose than one year to permit the said of a period of not mose than one year to permit the said of spirituous I quiers, where, ale and beer to be drauk upon the premises to all persons, as well as keepers of inns, toverns and hotels, in cases where the Excisoloumissioners shallbe satisfied that the person or persons hereused shall be of good moral character; and such licenses before being issued shall, in every case, be approved of in writing by the Commissioners of Police in cities where there are such commissioners, and in cities having no such commissioners by the United of Police of the city where the same is bested, and no licenses shall be arrested for any violation of this set, "xeept on a warrant duly issaed. All moneys received for licenses in cities shall be deposited daily with the Chambertain of Treasurer of the city where the incense is granted, to be used as now provided for by law."

She, 2.—All acts or parts of acts inc. nament with this act are hereby repealed.

eroby repealed.

3.—This act shall take effect immediately.

SEC. 3.—This act shall take effect immediately.

Oil.BERT'S OSSLAUGHT.

Mr. Gilbert, who assailed the oil as soon as it was read through, pointed out the effect of the amendments which had been put late in, whereby "all persons," as well as keepers of inus, taverns and notels, were to be granted licenses in cities, and whereby the limit of one year as the term of licenses had been strickenous. The bill as thus amended he d ciarce to be most important, the most dangerous, the most unbushing that had been be ought to the attention of the House, and, returning to his old ground, that the liquer traffic is immoral and tilegitimate, he declared that the bill, if suffered to become a law, would have even a stronger tendency than the Daly bill would have had to increase the volume of pauperism and crime in New York city. He drew some hideous fancy pictures of inquor dens and ceilars, which he declared would, by the wholesale houses affurded by this bill, be allowed to dispuss poison to the poor and vicious, and launched numerous stirring anathemas at intemperance and the advocates of kedemes like this which were certain to promote it.

Mr. Browning, of New York, responded to Mr. Gilbert in a speech which defended the bill. He challenged the statements in which the member from franklin had indulged concerning pauperism and rime. Franklin county, said Mr. Hrowning, continues more liquer than many other more popuous counties in the State, and he showed

Franklin had indulged concerning pauperism and frime. Franklin county, said Mr. Browning, contimes more liquor than many other more populous counties in the State, and he showed that this was true. Hops enough, said Mr. Browning, are grown in Franklin county to make MO,000 barrels of beer annually, and he showed how the Franklin county growers depended on the brewers for their trade. Mr. Grady, who took up the budgets against Mr. Ginert next, dealt tronically with that gentreman's argument in behalf of the "moralises" and arraigned the non-enforced law of 1857 as the real protector of liquor dens, dives, cellars and bucket shops. It was because that law was not and could not be enforced that the moralises" and degraded class of rumsellers were able to sell liquor by the cup and pint measure and could to be drank by the poor and depraved classes in their homes. Under an enforcible excise law, Mr. Grady argued, this kind of liquor dealing could be checked and would be checked and gradually suppressed, in the inforest not only of respectable dealers, who were obliged to get licenses and pay for them, but in the interest of good morals and public order. He said there were now 8 000 unifocused places where inquor was sold in New York city alone. The charitable institutions, which are by law entitled to excise revenues, are suffering for want of the license fees and the city by these places, which will continue to flourish in aptic of the law if no afficiency is an exact the license fees and the city by these places, which will continue to flourish in aptic of the law if no afficiency is a suffering for want of the lives, and defended in as demanded by public scottment and as

Townsiey, Wengple, Wilbor, Worth off.

Auskert and Nor Yours—Means, ador, Converse, Grandall, Hulme, King, Moiler, Sawyer, Wakely, Willers, the Speaker—IU.

A CALL OF THE ROUSE.

This vote was regarded by the friends of the bill as very encouraging—indeed, as almost promising victory. Still several members were absent, and the vote on the final passage of the bill which ensued was scanned with anxiety by both sides. As it progressed it became evident from the change of a 1sw votes and the continued absence of a 1sw members that the bill was endangered. Mr. Holahan seized the opportunity, before the result was announced, to demand a "Call of the House." His motion was sustained, and for the first time this session was cleared by the Sergeant-at-Arms of all spectators and intruders. None but members and reporters were allowed to stay. Then the call was proceeded with, each member, as his name was uttered, answering, "Here." Measrs. Astor, Converse, Craadail, Hulme, King, Moller, Sawyer, Wakely and the Speaker were found to be absent. Mr. Astor shortly afterward entered and took his seat, and the absence of the other gentlemen named was properly accounted for without the interference of the Sepcant-at-Arms. Consequently no orders of arrest were issued, and Mr. Holahan, yielding to the force of adverse circumstances, moved that turther proceedings under the call be suspended.

This motion having prevailed, the doors were inrown open, the spectators re-entered, the vote went on and probably the last excise bill of the Season was found to be lost by 62 to 57—three affirmative votes lacking to make a constitutional majority. Mr. Astor having expiained that while he had no sympathy whatever with the views advocated by Mr Gilbert and the other extremists, he could not Consequentiously vote for the measure before the House, voted against it. The yeas and days stood thus:—

Yeas—Measra. Allen, Baker, Bathe, Beard, Bergen, Berrigan. Bouck, Brooks, Brouning, Burns, Clancy, Cosad, Craufyed, Crowley, Hulmer, Stedener, Hulme,

Mr. Holahan having procured a reconsideration of the vote by which the bill was lost, expresses his de-termination to try again at the first favorable oppor-

Mr. Holahan naving procured a reconsideration to the vote by which the bill was lost, expresses his determination to try again at the first favorable opportunity.

Who DID IT?

Immediately siter the announcement of the vote Mr. Brooks, who, like others who voted for the bill, had been scandalized by Mr. Skinner's allegation respecting the offer of bribes to members, offered a resolution requiring the Committee on Privileges and Elections to investigate that charge and matter to the bottom. Both Mr. Skinner and Mr. Gilbert express their moral conviction that it is true, but whether they will be able to adduce proof of its truth or not is an interesting question.

Anxious to Eright The inquiries and Elections, to which was referred for investigation the charges made by Mr. Skinner, held a meeting this evening. The chairman, Mr. Terry, road the resolution of the House and asked Mr. Skinner if he had anything to suggest as to opening the proceedings. Mr. Skinner said his remarks were based on what he had seen and heard, and at the proper time he would show the basis of the femarks by the production of witnesses. Mr. Skinner, sying that they tainted the whole body of the House. He wanted a most thorough probing of the whole matter, and if any man was guilty of the acts charged he hoped he would be expelled. Mr. Holahan inquired if any of the winesses Mr. Skinner desired to sungena were members of the House? Mr. Skinner desired to sungena were members of the House of the whole matter, and said he had thought some time since of offering a resolution similar to that offered by Mr. Brooks, and he was deterred only by the fact that he knew those who were guilty of corruption would lie, and that, though he was morally certain of guilt, it was a very difficult matter to prove it. After further coaversation it was under-tood that Mr. Skinner would to-morrow lurnish a list of witnesses, and then the committee could determine upon the time of proceeding with the investigation.

Mr. Dolsontinuing the special Sessions of the Pe

for the bill are as follows:—

The courts of Special Sessions are now held at the Tombs, where the prisoners are sent from all peris of the city, by three police justices, who are obliged to close their courts for live nours when so sitting. Lach day's calendar comprises twenty to thirty cases. Delay to the prisoner or nate in the trial is, therefore, inevitable.

These counts, it is alleged.

prises twenty to thirty cases. Delay to the prisoner or naste in the trial is, therefore, inevitable.

The secouts, it is alleged, cost the city, yearly \$23,000. This are thoulously them, and substitutes four several courts to be held thrite a week at the principal police courts by the Judge there sitting the clerks, &c., there to act as such for the sessions and without extra pay beyond a stemporary of the state of the sessions and without extra pay beyond a stemporary of the state of the sessions and without extra pay beyond a stemporary of the state of th

view of all convictions by certiorari retained, thus making the form of review uniform wine that elsewhere existing in the State.

A bill introduced by Senator Robertson amends section 5 of chapter 427 of the law of 1855, and provides that if the taxes on any farm or lot of land assessed to a resident small be returned as unpaid is consequence of the premises becoming vacant by the removal of the occupant before the collection of the tax imposed thereon, or in denait of goods and canticle of the occupant, or of the owner to whom such tax shall be assessed to satisfy the same, or if the taxes on any fand occupied by or used in connection with any railroad, which was assessed to any person, company or corporation owning, operating or constructing such railroad, which was returned as unpoid, the Supervisor of the town or ward in which such land was assessed shall add a description thereof to the assessment roll of the local to understand of non-residents, and shall charge the same with the uncollected tax of the processing year; and the same proceedings shall be had thereon in all respects as if it was the \*\* initial of a hon-resident, and as if such tax had been laid in the year in which the description is so added.

Who suppresses CRIME?

description is so added.

Who should suppress came?

The Senate was engaged for some time this moring in the discussion of the following bill to incorpt ate the Society for the Prevention of Crime:

argued, this x gind of inquor desing could control of the control

ciety.

SEC. 9.—The provisions of this act shall be general within the boundaries of the State.

This bill was decidedly opposed by Senators Ecclesine, Raines, Marvin and Pomeroy, all of whom objected to the giving a private corporation powers properly belonging to public offices. Mr. Ecclesine condemned especially the sixth section of the bill and the seventh, which he asserted would encourage a detestable spy system which would not be tolerated by decent citizens and would have the least effect in bringing regues to justice. Mr. Pomeroy could not see why the duty of preventing evils in society should be relegated exclusively to Mr. Peter Cooper and his proposed associates, and Mr. Marvin doubted whether the lesser lights named in the first section of the bill were not seeking the reflection of the bill, upon which the society.

The executive session shut off further discussion of the bill, upon which the criticisms already made are so severe as to indicate that it will not pass, or that its original provisions will be amended out of sight. Opening THE PUPPER PART OF LEXINGTON AVENUE.

Mr. Thain's bill for the opening of Lexington avenue from Ninety-seventh to load street is intended to carry that avenue should not be continued.

A bill introduced by Schator Raines to-day provides that no contract for insurance upon the hit of any person nervalter made by any corporation doing life insurance business in this State shall be invalidated by any marepresentation of any person nervalter made by any corporation doing life insurance business in this State shall be invalidated by any marepresentation of any parson nervalter made by any marepresentation of any passed and have actually contributed to the contingency or event on which the policy is to become due and payable, and whether it has so contributed in any case shall be a question for the jury."

GARFIELD ON PORTER.

PLAIN LANGUAGE FROM TRUTHFUL JAMES-WHY THE COURT MARTIAL WAS PARTIAL TO THE PRISONER-THE PLAGRANCY OF THE

A reporter of the Washington Republican on Monmay visited General Gardeld to converse with him on the movement to retry the case of General Fitz John Porter. General Garfield said that "until the injunction of secrecy was removed from the deliberaions of the Court, he could not divulge anything that transpired. But if the subject came before Congress for discussion there he would favor a remova of the injunction."

"Very good, General; but can you give me any facts that may have been of public notoriety?"
"Yes. In the first place, the Court was composed of three regular officers-Major Generals Hunter and Hitchcock and Brigadier General Silas Casey; three volunteer officers-Major General Prentice, Brigadier General John P. Slough, and myself, also a Brigadier General, with General Joseph Holt as Judge Advo-

General, with General Joseph Holt as Junge Activate."

"Where and when did you meet?"

"In the fall of 1862, and on Fourteenth street, below Pennsylvania avenue, over what was then known as 'Ferd' Butler's restaurant."

"Did you have a stenographic reporter's "Yes; William Blair Lord, a reporter at present in the House of Representatives, noted all our proceedings. And, as I nave before said, if ever this matter comes before Congress the injunction of secrecy should be removed. I had not any ill-will to General Porter, nor had any other of the members of the Gourt."

THE COURT FRIENDLY TOWARD THE PRISONER.

THE COURT PRIENDLY TOWARD THE PRISONER.

"Some of them were iriendly to him, were they not?"

"Yos; why General Hitchcock was the godfather at his baptism. There was no iti-feeling toward him by any of the Gourt. In fact some of the Board remarked that, in view of their triendship for him, they did not consider they could give an impartial judgment.""

"Why do they wish to reopen the case, then?"

"I understand that there are Confederate reports to be submitted to show that General, Porter could not move to the support of McDowell in consequence of the Confederate lorces being in such strength before him as to form an impassable barrier."

"Was word sent by Pope to Potter to move up with his support and assist in engaging the enemy?"

"Yes; three times. There he lay with 12,000 men, the flower of the Army of the Potomac, Within four miles of the terrible struggle that was raging. There he was from morning until night; and it was not until the third order came—and the last which would have been sent by Pope—it was not until then that he moved; but it was too inte—the battle was lost."

"Were his troops if to go into action?

"Undoubtedity they were among the best in the army; they were mostly regulars; had the best artillery, and were fresh troops."

"The orders which pope but obeying the second."

"Was not General Pope much embarrassed by Porter's delay?"

"Ye. And on Porter's not obeying the second.

"Was not teneral Pope and obeying the second order General Pope, on his horse, wrote an order for the arrest of Porter and his being immediately shot! But Brigadier General Roberts, of the regular army, persuaded General Pope not to send the order, but to give

snaded Gen-rai Pope not to send the order, but to give him (Roberts) another missive to convey to Porter, ordering the latter to bring his forces immediately up. This he did, and Porter obeyed it."

"Had Porter any counsel at nistrial?"

"Yes; Reverdy Johnson, of Maryland, and William M. Esmes, of this city, since dead, were his counsel."

"So you think the case has been disposed of, and the verdict was a just one?"

"Yes. What Confederate archives have to do with the case I do not know. His case is of the past—tried, and an impartial verdict rendered. He refused to obey orders; and, while I do not think he was a traitor, nor naturally disloyal to his country, he was disloyal to his country, he was disloyal to his country. No, sir; no other verdict could have been rendered."

## THE DANGEROUS SPITZ.

HYDROPHOBIA IN MELEOSE -- A BOY'S SUFFER-INGS FROM THE DREAD DISEASE-CRUSADE AGAINST THE DOGS.

The quiet village of Melrose was the scene of con derable excitement yesterday morning, occasioned by the forming of a crusade against Spitz dogs. Bedoad by the roadside, where they had been shot by the excited villagers. Information of the commotion in the village reached the Phirty-third precinct station house, and Captain Killalea organed an investigation to be made. One of the officers de tailed to ascertain the cause of the trouble returned to the station house and reported that "Richard Schweitzer, aged mine years, residing on Courtland avenue, near 160th street was lying dangerously ill at his residence from hydrophobia, and it was supposed shat he would not recover." Other officers brought back word that several children had recently been bitten by Spitz dogs, and their parents, learing hydrophobis, had killed the animals. Richard Schweitzer, the boy who was reported by the officer

been sitten by Spitz dogs, and their parents, learing hydrophobia, had killed the animals. Richard Schweitzer, the boy who was reported by the officer at the station house as suffering from the dread disease, was bitten in the hip by a spitz cog about a month ago as he was about to enter his home after returning from school. The would inflicted by the animal was only a elight one, the ed quickly and at the time nothing was thought of it.

Early syntyrous.

On Tuesday the boy refused to eat his breakfast, teiling his mother that he did not feel well. Toward evening on that day Richard complained of pals in his throat, and his parents, fearing that he had the diphtheria, summoned Dr. Kreedman, of 154th street and Courthand avenue. The physician, on arriving at the house, was shown the boy, who at the time was acting in a very strange mather. An examination disclosed nothing at first, but as the youn's lips were parened the Doctor cailed for some water. When the lumbler containing it was presented to young Schweitzer he was suddenly serzed with convusions, during which he barked like a cog and tried to but a those who attempted to go near him. For over an hour be passed from one convusion into another until to tell to the floor exhausted. The symptoms so resembled hydrophovia that Dr. Kretchmar inquired if the boy had at any time been bitten by a dog. Dr. Kretchmar prescribed a solution of silicate of sola and heavy doses of quantile. These were given every hour during the night. Alterward he prescribed for his patient the nints part of a grain of strychnine, to be administered every two nours. It was given requiring the night. Alterward he prescribed for his patient, the boy, on attempting to swallow the liquid, was taken with another convulsion, from which no soon recovered, after which hedrack the water with considerable difficulty. Alter swallowing it has a sean settle with a smight convulsion. He was perfectly consulous all the time, and all that was notice to soon a learn that was not of lace to a Treaday ni

MRS. TILTON'S LETTER.

THE INTEREST AWAKENED BY IT BAPIDLY DE-CLINING-A SUBJECT OF WHICH EVERYBODY IS HEARTILY TIRED

fers, that, "like a wounded snake, drags its slow length along." the Brooklya complication passed yes-terday through another stage of its weary and noi-some travail. Nor does the simile of the wounded anake indifferently illustrate these latest phases of its unclean progress. Even people whose sensibilities are not very nicely attuned will have no more to do with so tainted an iniquity. Nothing could be more marked than the rapid waning of the ephemera, is terest which the quickened conscience of Mra. Titton had brought forth. Tuesday morning the matter was the theme of almost universal discussion; yesterday but few persons would mention it with patience. It was not altogether set aside, but disdain and con-tempt were the chief ingredients of all unbiased comment. Perhaps the name of Mr. Tilton came into the gossip of yesterday with some increased degree of any favorable emphasia. Hostilities were usually suspended when it came under notice, and the proand anti Beecher factions were well disposed to join in his case in a grand harmony of damnatory criti-

suspended when it came under notice, and the proand anti Beecher factions were well disposed to join
in his case in a grand harmony of damnatory cristciam. The lawyers who formerly were so familiar
with all the tortuous passages and steep declivaties of
the case knew nothing more about it or said they
knew nothing. They seemed to shun it. In this respect, too, they were in accord with the great majority of the respectable portion of the community.

While on Tuesday there was little talked of in
Brooklyn excepting the great scandal, yesteriay it
was hardly mentioned, and as there were no new developments in the case no one had anything to say.
Assistant Pastor Hallinay was busied in moving, Mr.
Sucarman was immersed in legal studies, Mr. White
was attending to his Wall street business, and none of
them had a word to say. Ex-Judge Morris, older and
stouter than when his figure was laminiar to the Abbitwas of the Brooklyn city court room during the
Beecher trial, torned from his desk and dropped his
business with a resigned air when a reporter called.

"Get out your note book," he said. "I won't be interviewed unless you take notes as I talk." Theu being asked it he know anything new or of any official
action to be taken, he said, "I say to you, as I have
said to every reporter who has called, that I have
nothing to say." And as the reporter turned away,
tranking him for saying nothing, Mr. Morris muttered, "The whole thing is too absurd,"

No meeting was held of any committee of Plymouth
Church, and no plan of any official action to be taken,
was made onless it was privately determined upon.
The regular meeting of the Examining Committee with
when the subject of the Examining Committee with
the held as usual on Friday evening after the regular
prayer meeting, and if it should be deemed proper to
her story the probability is that it will be done the.
Concerning this probability, newever, he one was
willing to speak, posatily on account of Mr. Beecher's
absence. If the other horn of the dilemma sh

MR. BEECHER AT AVON.

[BY TELEGRAPH TO THE BERALD.] Avon, N. Y. April 17, 1878.

Mr. Beecher's reception along the whole line of his orogress is one of exceptional cordinity. At Avon tonight the hall was much too small. People flocked in from the villages in every direction-Dansville. Mount Morris, Geneseo, South Avon, Conesus, South Livenia, Livenia, Hamiltons, Lerey, Lima and Caledonia. The committee cleared several hundred dollars on his lecture. Mr. Beecher is constantly receiving despatches of sympathy and coundence from every portion of the country. In his lecture to-high he was at his very best. He dwelt at length on the subject of lying and perjury. He said, "Lie not for love, he not for mercy, he not for homeony, he can be not at all, it was not necessary for the Lord Jesus Christ to lie, He was the perfect example."

THE GULICK SUIT.

yesterday in New Brunswick, N. J. Judge Scudder charged the jury, saying than an agreement to marry is a civil contract and people can recover damages from those who violate it. After further explaining the law on this point the Judge said :-

As to the amount of damages, if such are given, the jury are to look at all the circumstances, the position and means of the defendant. It is not the pecuniary loss alone that must be considered, the injury to the feelings should and must be considered. The means of the defendant anough be taken into consideration.

The jury retired at about eleven o'clock A. M., and have not yet rendered any verdict.

"THE PHILOSOPHY OF FUN."

A very amusing and instructive lecture was deivered last night at Chickering Hall by Melville B. Landen, otherwise known as Eli Perkins, on the "Philosophy of Fun." The audience was large, and the lively humor of the lecturer kept them in rours of laughter from beginning to end. Nor was it all tun: there was a philosophical vein running through the speech in which the lecturer attempted to explain the principles of wit while he entertained his hearers with sparkling illustrations of his theories. In opposition to the prevailing tenets of Lord Kames Mr. Perkins thought that wit was a rarer and novier creation than numor. It was of two kinds-sengual and intellectual. The former pleased by a mere incongruity, which struck the senses; the latter had to go to the which struck the senses; the latter had to go to the brain and be discounted before it could be used. As an example of the former kind the lecturer recited the alphabet in varying tones of pathos, insignation and argument. As an illustration of the latter he took the story of the first Cainfordia jury who, while deliberating on the case of a horse timel, were aroused by a knock at the door and a voice announced that if they had not agreed on a versiet they would retire as the room was wanted in which to make your a corpse. The essence of wit consisted in its deformity and in exangeration and hyperbole. All great humorists had therefore been great liars. The Perkins family, nowever, were always remarkable for their truthinless. Deformed grammer was also a source of wit, as the following couplet by the lecturer shower:—

A cautions look around he stole,

And many s wink no wonk

Deformed logic aims of timed part of the repertore
of wit. For instance:—"Nothing is better than a
beautiful young lady; a nomely young lady is better
than nothing; therefore a homely young lady is better
than a beautiful young lady, which you know is
very liable to be the case,"" added the speaker. The
lecturer concluded with a history of the freaks and
folioss and trials of the Perkins family, which elicited
peal after peal of laughter from his audience.

NATIONAL TRUST ASSETS.

Receiver Best sold on the Real Estate Exchange yesterday the following assets of the National Trust

Company:—
Walkili Valley Railroad Company first mortcage seven
per cent bonds (\$75,000). due 1897, interest January and
Jul., \$1,000 each, at 70% a 80 per cent.
Missouri-Yachie Rainway Company (Carondolet branch)
first mortgage six per cent gold bonds (\$34,500), due 1893,
interest semi-annually (\$0 bonds of \$1,007 each, ac-lost of
\$300 per bond, under an agreement dated January 21, 1878
de the reduced amount outh principal and interest of
those bonds are guaranteed by the company), at 90% a 70
per cent.

POOR ZELLENKE.

Mrs. Rose Zeilenke, of No. 521 East 117th street, in the Harlem Police Court, yesterday afternoon, accured her husband, Adolph Zeilenke, of conduct unbecoming a gentleman. Mr. Zeilenke, according to his wile's story, loves her, but is also fond of other ladies, and in consequence she has foroidden him the house. Mr. Zellenke returns the compilinent by calling her bad names. The prisoner tola Judge Wheeler that he did not want to leave his better nai and would give bonds for good beliavior to any amount. A sister of Mrs. Zellenke who was a witness in the case evinced strong opposition to any reconclusion between the pair. Judge Wheeler committed Zellenke for the night.

PRIVATE CORBETT'S CASE.

Judge Pratt, of the Supreme Court, Kings county, yesterday ordered the case of John J. Corbett against General Horatic S. Gibson, which is a suit brought to recover \$10,000 for alleged false impresonment, to be transferred to the United States Court. ILL-MATED.

The Newells Try to Prove Each As the "needless Alexandrine," to which Pope re-Other Unfaithful.

OPENING OF THE DEFENCE.

Miss Olney Declares All Testimony Against Her False.

The proceedings in the Newell divorce case yesterday were of considerable interest, and there was a great multitude of spectators all day. Mrs. Newell's of letters to be read in rebuttal, and Mr. Newell's of what the defence hoped to prove. Mrs. Newell, for a few moments, also figured as a witness during the the opposing counsel, which had to be stopped by the intervention of Judge Lawrence.

MR. NEWBLL'S CONFIDENCE IN HIS WIFE.

Pickering, the Boston lawyer, again went on the

stand. The redirect examination was continued by Mr. Ten Eyck. The witness explined that his ex-Vineyard were simply pleasure jaunts, and that he was accompanied by his wife. Mrs. Newell was in mourning for Mr. Boardman after his death. She said it was for her "papa." In reference to Mrs. Newell while a medium having been represented as coming down from the clouds in the garb of an angel, Pickering said such cuts had appeared in the Providence papers. Mrs. Newell's letters to Mr. Boardman were found after his decease among his effects, and her op-ponents in the will case got possession of them. The onvelopes core an inscription in the handwriting of Mr. Boardman that they shoulded burned after his preserved. It was thought at one time to procure an injunction to prohibit her opponents in the will case from ever using the letters, but no steps were made to

which you have narrated was anything said about Mr. Newell having been supported by Mr. Boardman? A. Mr. Newell said that her opponents in the will case had charged that she had entertained improper clared, and I could depend upon it that she was only a daughter to him; Mrs. Newell stated at the same time that she had written most affectionate letters to Mr. Boardman, because he had been so good to her; Mr. Newell said, "Why, anybody who looks at her could tell at once that she is not an improper womanno man's mistress: the fact that she is my wife-and I am very sensitive on that point—ought to be a suf-ficient guarantee that she was not an unchaste

from Mrs. Newell to Mr. Newell, others from him to There was one letter from her to Boardman with an indersement from both Newell and Boardman upon t. Many of the letters from Mrs. Newell were post

Mr. Shaler recross-examined the witness:—
Q. You say that at your interview with Mr. Newell

he objected to have your sons present. Did he not want you to keep his communications in confidence? I want a direct answer. A. Not in confidence?

Q. In the different litigations about the Boardman will case was Mrs. Nowell ever examined in her own bensif?

Ex Judge Fullerton—I object.

Q. Were not her opponents in the will case anxious to examine her and did she not avoid it on the ground that she was too ill to be examined?

Ex Judge Fullerton—I object. Shall we be called upon to prove that she was too ill? Is that to be an issue before this Court?

Mr. Shafer—I am willing that it should be.

Ex Judge Fullerton—The question is not what you are willing, but what the law permits you to do.

Judge Lawrence—I have already said that although it may be very intoresting to try that case over again I will not permit it.

Mr. Shafer—One moment, Your Honor. Have we no right to show that when the beirs of Boardman challenged this woman to go upon the stand and prove that she was not his mistress, as they had alleged, but his adopted daughter, as she claimed, and got out of it by pleading ill nealth? Have we no right to show that?

Judge Lawrence still excluded the query, and Mr. Fullerton ist off some side remarks about Mr. Shafer's

Fulier ton let off some side remarks about Mr. Stater's spouting.

Mr. Stater—God has not bleased you with as good lungs as he has me. (Laughter.) I submit that it is unprofessional for the gentieman to keep criticising me and reminding me constantly of his superiority. Judge Lawrence curtly told both gentiemen that this sort of thing had to stop.

AN EXCEPTIONAL CASE.

Q. Did your wife ever find you locked in with Mrs.

Q. Did your wife ever had you locked in with Mrs. Newell in a room in Bowdoin street? A. (indignantly) Nover in my life.

Q. Have you many lemale clients in Boston? (laughter) A. A good many.

Q You have explained that the resson why Mrs. Newell used to be in your room was because you used to do her legal work there in the evening? A. I did. Q. Do you generally do the work of your female clients in your room in the evening? (Laughter.) A. I sometimes do—not generally. This is an exceptional case—wholly. (Laughter.)

Here there was another jocular tiff between Messra Fullerton and Shafer.

ENTER—RINALDO T. TILTON.

Mr. Rinaldo T. Tilton testified that he was employed by Newell & Smith; be saw the names of Mr. Newell and Miss Olicy registered at Earle's Hotel between a Saturiary and Moulary, the register had been destroyed.

Q Are you a relative of Mrs. Newell? A. Yes, sir; our lathers were brothers and our mothers were sixters. (Laughter).

Mr. Shafer cross-examined the witness.

Q How old are you? A. I am about forty-one.

Q How much older than you is your coasis? A. Only about one Yesr.

Mr. Shaler cross-examined the witness.

Q. How did are you? A. I am about forty-one.
Q. How much older than you is your cousin? A.
Only about one year.
Q. Don't you know that she is forty-five years old?
A. I know that she isn't.
Q. Where were you born? A. In Deerfield, N. H.
Q. Where was she born? A. Also in Deerfield.
The witness then went on to relate all nor movements, as far as he know of them, and where she went to school; she kept nouse for an uncle in Manchester, N. H., when a young lady.
Q. What was the name of the uncle? A. Locke.
Q. Lot? A. Locke.
Q. What? Lot? (Laughter.) A. Locke.c. (Laughter.)
From Manchester she went to Salem, where she was a dressmaker, he said, and thence she was a dressmaker, he said, and thence she went to Boston, where she was milliner. He met her next at Greenwood, where she was living with an uncle, about twenty-four years ago, studying music and languages. There she remained several years.

Mr. Thion left the stand, and after calling in vain for Mr. James, their next witness, Mrs. Newell's counsel recalled filtion and questioned him as to a conversation he had had with Mr. Newell in reference to Boardman.

Mr. Shafer—I must insist again that Your Honor will hold the counsel on the other side to the strict rules of levidence. Your Honor know better than that, I suomit that in the exercise of a wise cascretion—athough is will holesy that it is unwise if you should decide otherwise. Your Honor should not allow this witness to be recalled, and particularly in this case, when the mouth of this delendant is as effectually closed as though he were in his grave. I think it is Your Honor's duty.

Judge Lawrence (quietly)—It is your duty, Mr. Shafer, to make an objection when you see fit, and it is mine to overrule it wine it see fit, which I do now.

Throw's statement in answer to the question put to him:—In 1867, after Mr. Newell's return from Faria, he said that he needed more money it his business. He said his wite might get i from her "isakher," Boardman, if she would, but she

Mr. Shafor—Did he say that his wife's delicacy was such that she would not ask Mr. Boardman for money?

A. He did not say that,
Q. What did he say? A. The conversation occurred Just as I have told it.

Q. Did he say she would not ask Mr. Scardman for money? A. He did not say that; what he did say was that she would not sak him for money to put into his

Dusiness.
Q. He didn't say that she would not ask him for money for herself? No. sir.
Q. You are sure the word "lather" was used? A. Yes, sir.

Q. You are sure the word "lather?" was used? A. Yes, sir.
Q. It made a great impression upon you, didn't it?
A. I suppose it uid.
Q. Did you make a memorandum of it at the time?
A. I did not.
Q. When did you communicate this conversation to hirs Neweil? A. About three years ago.
Mr. Shaier (disgusted)—Well, that's all. Stop a moment. Are you a brother of theodore Tilton? (Laughter.) I could not tell you. (Laughter.) The witness stepped down with great delight.
Ex.Judge Fullerton now announced to the Court that the lesters that had been identified this morning would not be read now, but would be read in rebuttal. They were properly evidence in rebuttal.
Mr. Shaier veheneatly protested. "The gentleman looks very innocent and trank about it," he said; whill know that this delay is to serve a twofold purpose—one legitimate and the other illegitimate, and I want to say that they should read these letters now before they rest their case. The gentleman knows that in the training occurse."

Judge Lawrence said he would not say at this time that he would admit even one of the letters, because he did not know what the letters were. When they

were brought up for rebuttal it would still be time for Mr. Shafer to raise his objection.
Mr. Shafer to raise his objection.
Mr. Fullerton now solemning rose and said that before he rested the plaintiff's case it was his duty, in pursuance of a law passed in 1877, to put to the plaintiff a single question. As it was only a question be heped His Honor would allow her to retain her seat in

heped his Honor would allow her to retain her seas a court.
Julige Lawrence assented, and Mrs. Newell then, whose lace became suffused with a slight flush, slightly but gracefully rose, and placing her hand upon a flush handed to her, she bowed her head and instead to the question which Judge Fullerton, in a solemn voice, proposside to her.

Q. is there any judgment or decree-for a divorce en the ground of adultery against you and in favor of your nusband, Lorenzo D. Newell, in any court of this State? A. No; not to my knowledge.

Mr. Shafer—it is not pretoned by us that there ever was.

your nusband, Lorenzo D. Nowell, in any court of this Sister A. No; not to my knowledge.

Mr. Shaler—It is not pretended by us that there ever was.

Juage Fullerton—I only ask the question because the law obliges me to do so.

OPENING FOR THE DEFENNE.

A recess was taken, and after recess Mr. Arnold made the opening for the defence. He spoke, in the main, as follows:—The course of the defence has been somewhat anticipated by the latters that have been submitted. In the opening of the other side It was promised that the enarges of adultery between Mr. Newell and Miss Oliney should be fairly established, and a screen scene was promised between them such as would almost rival the screen scene in the "Sonool for Scandal." Not only have these promises remanated unfulfilled, but the innocence of Miss Oliney has been fully shown you. You will no doubt congratulate her and yourselves upon that result, which is all the more gratifying considering the social position she occupies. Miss Oliney has been on the stand and has recounted to you all the details of her past career, her strangles for bread and her starting in New York in the millinery business with the capital iteratance door by Newell & Smith. You must conclude that she is a model for women left to their own resources, and I ask you whether such a woman is likely to be ensuared by the wiles of a man evous as black as the witness Pickering has painted Mr. Newell to be? I ask you whether anything that occurred between her and Mr. Newell would bring a blush to the chees of the most modest would bring a blush to the chees of the most modest would bring a blush to the chees of the most modest would bring a blush to the chees of the most modest would bring a blush to the chees of the most modest would bring a blush to the chees of the most modest with you, and id no not believe that you will blight this pure the quot would bring a blush to the chees of the most modest would bring a blush to the chees of the most modest with you, and id no not believe that you will bli

torious Beston lawyer, and Pickering, rose to \$2,000,000.

WHY SO MUCH SECRECY?

It will be contended that Mr. Boardman bore to Mrs. Nowell the relation of a losser fatuer. If so, why did she not sign her letters to him? Why did she offer to send him back his letters? Why did he leave instructions to have them burned? I think we have instructions to have them burned? I think we have established quite as much proof of criminality believen Pickering and Mrs. Newell as has peen tried to be established by the other side between Mr. Newell and Miss. Obey. We shall also claim that besides her improprieties with Boardman and Pickering she was guilty at another time in Boston in 1872. Mr. Arnold gave an outline of the evidence, which is unfit for publication. He concluded by saying that the jury would be asked to declare this woman guilty of these wrongs, and in their proper time Mr. Newell's counsel would ask them to dissolve this marriage, which to Mrs. Newell had been a hated one from the beginning.

ning.

Miss Olney was first recalled by way of rebuttal.

She fanned herself as noncessanily as ever.

Q. You have heard the testimony about your letters to Mr. Newell which were destroyed by him?

O You have heard the testinally adoutly vot setter to Mr. Newell winch wore destroyed by him? A. Yes, sir.

Q Now I want to ask you whether you ever wrote a letter to Mr. Newell in your life that you are ashamed to have written. A. (Energetically)—Never. Mr. Fullerton—I object. Miss Olney, I hepe you will restrain yourself when I make an objection.

Q What was the nature of your correspondence with Mr. Newell?

Mr. Fullerton—I object.

Juage Lawrence—I think I shall admit this. I shall allow her to state the contents of her letters. Mr. Pullerton—I insist tast when a party destroys letters he cannot turn round and give parole evidence at to their contents. Suon is the invariable rule.

Mr. Shafer urged that there was no stuch rule.

Mr. Fullerton—If there was nothing in these letters that he and sho were ashamed of, why did he destroy them and commit them to the flames, because asher tell no tales?

Mr. Shafer—This evidence is important to show that P. Occerng lied. We propose to show that there were no such letters. It won't do for the counsel to assume the existence of such letters. Even according to their story these alleged letters were destroyed by mutual coussent.

Judge Lawrence—I think the letters having been

story these slieged leiters were destroyed by mutual consent.

Judge Lawronce—I think the letters having been proved to be destroyed evidence may be given as to their particular contents without allowing the witness generally to describe their nature.

THE CORRESPONDENCE EPITOMIZED.

Q Now, Miss Olney, be carried not to say generally anything about the propriety or impropriety of your letters—state their contents. A. I used to write to Mr. Newell when he was in Paris generally once a weeg, telling him what kinds of goods he should buy and at what house he could best buy them; when he became indiord of the house in wanch I did business I would also communicate to him anything in reference to the house that I thought he ought to know; I would also write to him when I had been to places of amusement, telling him what I had seen and who was with ma.

Q. Did you ever mark your letters "Private?" A.

Never; there never was anything private about them.

Mr. Fellerton—i submit that this is improper.

Mr. Shate—it is proper, I submit.

Judge Lawrence—it is an opinion, and therefore improper. Strike it out.

improper. Strike it out.

Miss show then and to describe the situation of Miss choose the and to describe the situation of Miss choose the and the Europe with Newsil in order to show that there could have been no impropriety between them. She said that upon one tryp show complet her situation jointly with three other lades and upon another tryp show.

Q Did you and Mr. Newsil ever occupy communicating rooms at a hotel in Liverpool? A. (Vohemently)—Never.

Q You heard the witness Hardonbrook and his testimony about Mr. Newsil string in your room late at night in his shirt sleeves. Was no ever in your room in his shirt sleeves? A. He never was in my room is his shirt sleeves? A. He never was in my room is his shirt sleeves.

Q. Was it true, as Mr. James stated, that Mr. Newsil was never in my rooms as late as Mr. James testified that seed he to visit you? A. He generally and the try of the seed of the strike of the seed of the try of the seed of the strike of the seed of the strike you? A. He generally and the seed he to visit you? A. He generally and the seed he to visit you? A. He generally and the seed her to visit you? A. He generally and the seed her to visit you? A. He generally and the seed her to visit you? A. He generally and the seed her to visit you? A. He generally and the seed of the visit you? A. He generally and the seed of the visit you? A. He generally and the seed of the

Gilbert, of the Supreme Court, Kings county, yesters day, in the case of Henry H. Smith against Jenny E.